

ERIC SCHERZER, AS TRUSTEE OF THE VOLUNTARY HOSPITALS HOUSE
STAFF BENEFITS PLAN

Plaintiff(s)

Index # 07 CIV 7005 (PANLEY)

- against -

Purchased August 6, 2007

CARITAS HEALTH CARE, INC.

Defendant(s)

AFFIDAVIT OF SERVICE

STATE OF NEW YORK: COUNTY OF NEW YORK ss:

CARLOS CASTRO BEING DULY SWORN DEPOSES AND SAYS DEPONENT IS NOT A PARTY TO THIS ACTION, OVER THE AGE OF EIGHTEEN YEARS AND RESIDES IN THE STATE OF NEW YORK.

That on August 8, 2007 at 03:20 PM at

152-11 89TH AVENUE
JAMAICA, NY 11432

deponent served the within SUMMONS & COMPLAINT; INDIVIDUAL PRACTICES OF JUDGE WILLIAM H. PAULEY III; 3RD AMENDED INSTRUCTIONS FOR FILING AN ELECTRONIC CASE* on CARITAS HEALTH CARE, INC. therein named,

CORPORATION a DOMESTIC corporation by delivering thereat a true copy of each to WANDA MCPHERSON personally, deponent knew said corporation so served to be the corporation described in said SUMMONS & COMPLAINT; INDIVIDUAL PRACTICES OF JUDGE WILLIAM H. PAULEY III; 3RD AMENDED INSTRUCTIONS FOR FILING AN ELECTRONIC CASE* as said Defendant and knew said individual to be the GENERAL AGENT thereof.

Deponent further states that he describes the person actually served as follows:

<u>Sex</u>	<u>Skin Color</u>	<u>Hair Color</u>	<u>Age (Approx.)</u>	<u>Height (Approx.)</u>	<u>Weight (Approx)</u>
<u>FEMALE</u>	<u>BROWN</u>	<u>BLACK</u>	<u>45</u>	<u>5'4</u>	<u>160</u>

* OR APPEAL


That at the time of such service deponent knew the person so served as aforesaid to be the same person mentioned and described as the Defendant in this action.

Sworn to me on: August 16, 2007

JOEL GRABER
Notary Public, State of New York
No. 02GR4699728
Qualified in New York County
Comm. Expires February 10, 2010

MICHAEL SMITH
Notary Public, State of New York
No. 01SM4997428
Qualified in New York County
Comm. Expires June 8, 2010

JONATHAN GRABER
Notary Public, State of New York
No. 01GR6156780
Qualified in New York County
Comm. Expires December 4, 2010


CARLOS CASTRO
License #: 1021960
Invoice #: 445694

AO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT

Southern

District of

New York

Eric Scherzer, as Trustee of the Voluntary
Hospitals House Staff Benefits Plan,
Plaintiff,

V.

Caritas Health Care, Inc.,
Defendant.

SUMMONS IN A CIVIL ACTION

CASE NUMBER:

07 CIV 7005
Judge Pauley

TO: (Name and address of Defendant)

Caritas Health Care, Inc.
152-11 89th Avenue
Jamaica, NY 11432

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Elizabeth M. Pilecki
Kennedy, Jennik & Murray, PC
113 University Place, 7th Floor
New York, NY 10003

an answer to the complaint which is served on you with this summons, within 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

J. MICHAEL McMAHON

AUG 06 2007

CLERK

DATE

Marcos Quintero

(By) DEPUTY CLERK